

Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Dicks
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen

Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseeth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoolley
Hoyer
Hunter
Ingalls (SC)
Inlee
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall

Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarelli
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt

Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skellton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier

Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancred
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)

Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—3

Conaway

Neugebauer
Poe

NOT VOTING—29

Andrews
Blumenauer
Buyer
Crenshaw
Davis (IL)
Davis, Tom
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Dingell

Ferguson
Gilchrest
Gillibrand
Gohmert
Gutierrez
Hulshof
Israel
Kennedy
Kingston
Matheson

□ 1337

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: “Resolution expressing support for the designation of a Frank Sinatra Day, in honor of the dedication of the Frank Sinatra commemorative stamp.”

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4789

Mr. TOWNS. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 4789.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

VETERANS EMERGENCY CARE FAIRNESS ACT OF 2008

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3819) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to reimburse veterans receiving emergency treatment in non-Department of Veterans Affairs facilities for such treatment until such veterans are transferred to Department facilities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3819

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Emergency Care Fairness Act of 2008”.

SEC. 2. MANDATORY REIMBURSEMENT OF VETERANS RECEIVING EMERGENCY TREATMENT IN NON-DEPARTMENT OF VETERANS AFFAIRS FACILITIES UNTIL TRANSFER TO DEPARTMENT FACILITIES.

(a) CERTAIN VETERANS WITHOUT SERVICE-CONNECTED DISABILITY.—Section 1725 of title 38, United States Code, is amended—

(1) in subsection (a)(1), by striking “may reimburse” and inserting “shall reimburse”; and

(2) in subsection (f)(1), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) until—

“(i) such time as the veteran can be transferred safely to a Department facility or other Federal facility; or

“(ii) such time as a Department facility or other Federal facility agrees to accept such transfer if—

“(I) at the time described in clause (i), no Department facility or other Federal facility agrees to accept such transfer; and

“(II) the non-Department facility in which such medical care or services is furnished makes and documents reasonable attempts to transfer the veteran to a Department facility or other Federal facility.”.

(b) CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITY.—Section 1728 of such title is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

“(a) The Secretary, under such regulations as the Secretary shall prescribe, shall reimburse veterans entitled to hospital care or medical services under this chapter for the reasonable value of emergency treatment (including travel and incidental expenses under the terms and conditions set forth in section 111 of this title) for which such veterans have made payment, from sources other than the Department, where such emergency treatment was rendered to such veterans in need thereof for any of the following:

“(1) An adjudicated service-connected disability.

“(2) A non-service-connected disability associated with and held to be aggravating a service-connected disability.

“(3) Any disability of a veteran in the veteran has a total disability permanent in nature from a service-connected disability.

“(4) Any illness, injury, or dental condition of a veteran who—

“(A) is a participant in a vocational rehabilitation program (as defined in section 3101(9) of this title); and

“(B) is medically determined to have been in need of care or treatment to make possible the veteran’s entrance into a course of training, or prevent interruption of a course of training, or hasten the return to a course of training which was interrupted because of such illness, injury, or dental condition.”;

(2) in subsection (b), by striking “care or services” both places it appears and inserting “emergency treatment”; and

(3) by adding at the end the following new subsection:

“(c) In this section, the term ‘emergency treatment’ has the meaning given such term in section 1725(f)(1) of this title.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Indiana (Mr. BUYER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. I thank the Speaker.

This bill comes to us from a great new Member from the State of Ohio (Mr. SPACE), and I'm going to yield to him as much time as he may consume to explain the bill.

Mr. SPACE. Mr. Speaker, I would like to thank Chairman FILNER, as well as Ranking Member BUYER, for their cosponsorship on this legislation as well as for their work in bringing H.R. 3819, the Veterans Emergency Care Fairness Act, to the floor today.

This legislation has been about a year in the making. Last March, I received a letter from Terry Carson, CEO of Harrison Community Hospital in Cadiz, Ohio, a small town in the 18th Congressional District for the State of Ohio. Mr. Carson wrote to me about a problem he was experiencing in his 25-bed rural hospital when providing emergency care for veterans.

Currently, the VA reimburses non-VA hospitals for emergency care provided to veterans up to the point of stabilization. Once the patient is deemed stable enough to transfer, he or she is moved to a VA hospital. The problem that Mr. Carson brought to my attention is that oftentimes, veterans experience a waiting period for a bed in the VA hospital. During this limbo time, the VA is not required to reimburse the community hospital for care. Meanwhile, people like Mr. Carson feel morally obligated to continue care despite the fact that they cannot count on reimbursement. Worse even than non-VA hospitals footing the bill is the case of veterans who are paying out of pocket.

The Veterans Emergency Care Fairness Act closes this loophole by requiring the VA to cover the cost of care while the transfer to a VA hospital is pending and if the community hospital can document attempts to transfer the patient.

I believe this legislation is the best solution for the VA, community hospitals, and, most importantly, our Nation's veterans. To that end, this legislation is supported by the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the Vietnam Veterans of America, the Ohio Hospital Association, the Air Force Sergeants Association, the Military Order of the Purple Heart, the Veterans Administration itself, and a bipartisan group of our colleagues here in the House.

This bill is a perfect example of how our system is supposed to work: a constituent contacts his Member of Congress, the Member listens, and an appropriate commonsense legislative fix is found. I'm proud to have had a chance to advocate for Mr. Carson, to advocate for the veterans he treats, and to advocate for the veterans across the country.

Once again, I would like to thank all of my colleagues in this bipartisan effort, and I urge all of those who have not joined thus far in supporting H.R. 3819.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3819, the Veterans Emergency Care Fairness Act, a bill to amend title 38 of the United States Code to require the Secretary of Veterans Affairs to reimburse veterans receiving emergency treatment in non-Department of Veterans Affairs facilities for such treatment until such veterans are transferred to department facilities.

I commend my colleague from Ohio, ZACK SPACE, for introducing this bill. Providing health care services to those who have honorably served our country is an important mission of the Department of Veterans Affairs. However, in an emergency, a veteran may not always be in close proximity to a VA health care facility.

Mr. Speaker, in 2000 under Public Law 106-117, the Veterans Millennium Health Care Act, Congress authorized the VA to reimburse or pay for the emergency non-VA treatment of certain enrolled veterans who have no medical insurance and no other recourse for payment.

□ 1345

Current authorities for reimbursement of this emergency treatment are discretionary, and VA medical professionals must determine after the fact whether an actual emergency existed where a delay in obtaining treatment would have been hazardous to that veteran.

This bill appropriately resolves the current billing issues and standardizes requirements for VA to cover the cost of an eligible veteran's emergency care. H.R. 3819 would standardize the definition of emergency treatment for veterans seeking reimbursement for emergency services rendered in a non-VA facility.

By supporting this bill, we remove the financial uncertainty for veterans in an emergency health care status.

I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, this is a perfect example of the way we do the best legislation. Mr. SPACE from Ohio encountered a problem in his district, looked into solving it. It turns out it's a problem in every district.

So we thank Mr. SPACE for his work on this, for his recognizing the problem. It is an unacceptable position for a veteran to be in, that they're in never-neverland where they have been stabilized in a hospital but yet not accepted at a VA hospital and they are liable for the cost. What you have done is take that worry and that cost off of the veteran and allowed us to deal with him or her in a very respectful and clear way.

So we thank Mr. SPACE for this legislation.

I don't have any further speakers, and I would reserve the balance of my time.

Mr. BUYER. At this time, I yield such time as she may consume to the

ranking member of the O&I Subcommittee of Veterans' Affairs, Ms. GINNY BROWN-WAITE of Florida.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise in favor of this bill, H.R. 3819, the Veterans Emergency Care Fairness Act. This bill, introduced by my colleague, Representative SPACE, closes a loophole that saddles America's hospitals with unnecessary costs.

Mr. Speaker, America's veterans answered the call of duty and fought gallantly for our freedoms. And everyone is thankful for that. However, it is up to the government of the United States to care for our vets, not private hospitals. This bill ensures that the private hospitals providing a bed for a vet while they await care at a VA hospital are reimbursed for that care.

Like Mr. SPACE, I've been contacted. Previously, he was contacted by a constituent. I've been contacted by constituents and actually intervened in getting the VA to pay for the hospital care. Once this becomes law, neither I nor other Members will have to be in the bill collection business because the VA clearly should be paying for this without having to have a Congressperson call, asking them to look into it.

As a cosponsor of this important bill, I'm looking forward to voting in favor of it, and I urge my colleagues to do the very same.

Mr. BUYER. Mr. Speaker, I urge my colleagues to support the bill and yield back my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3819, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FILNER. I urge my colleagues to unanimously support this bill, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 3819, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FILNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

LONGITUDINAL STUDY OF VOCATIONAL REHABILITATION PROGRAMS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill